

LAND USE CONTROL BOARD RECOMMENDATION

CASE #: S.U.P. 08-214 CC

At its regular meeting May 8, 2008, the Memphis and Shelby County Land Use Control Board held a continuation of its public hearing on the following application, requesting a special use permit on the property described as follows:

LOCATION: ±370 feet south of Dexter Road and ±490 feet. west of Appling Road

OWNER OF RECORD: Dancy Investments, Inc

LESSOR/APPLICANT: Crown Castle, Inc.

REPRESENTATIVE: Shawn Massey, CCIM

PROPERTY SIZE: 6,400 sq. ft. leased parcel in a 0.29-acre tract adjacent to 7.5 acre tract under same ownership

EXISTING ZONING: Agricultural (AG) District

REQUEST: Extend existing 150-ft. cell tower (CMCS) to 165 ft

Shawn Massey, CCIM, appeared in support of the application as the applicant's representative.

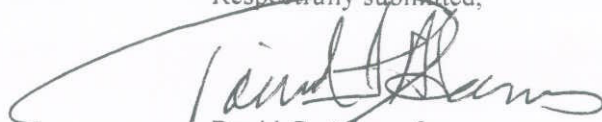
No one appeared in opposition.

The Land Use Control Board reviewed the special use permit application and the report of OPD,

A motion was made and seconded to **approve** the application as stated above. This motion **passed** by a unanimous voice vote.

The Board concurred with the conclusions of the staff as expressed in the staff report.

Respectfully submitted,



David G. Adams for
Mary L. Baker, Deputy Director
Office of Planning and Development

SITE PLAN CONDITIONS

S.U.P. 08-214 CC

CMCS CELL TOWER AT 7040 HIGHWAY 70

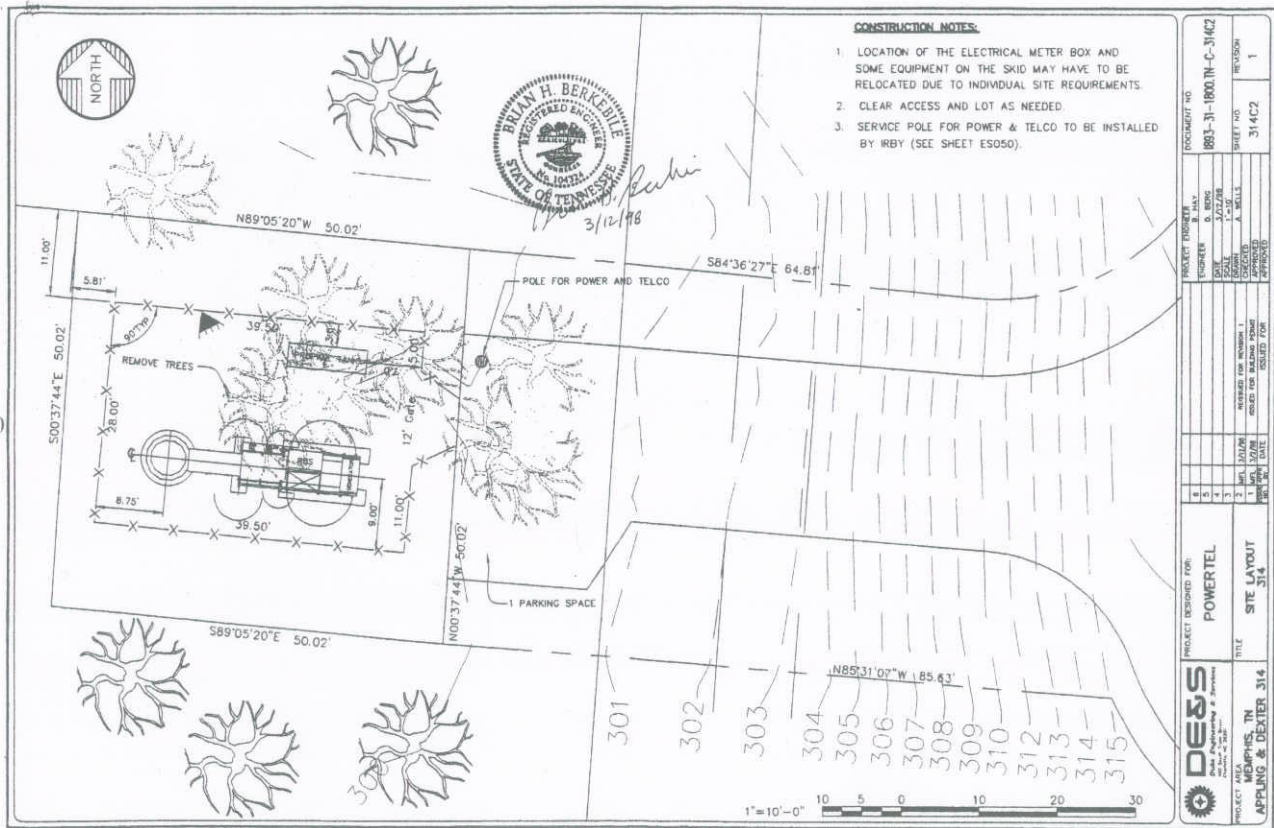
As Recommended by the Land Use Control Board

May 8, 2008

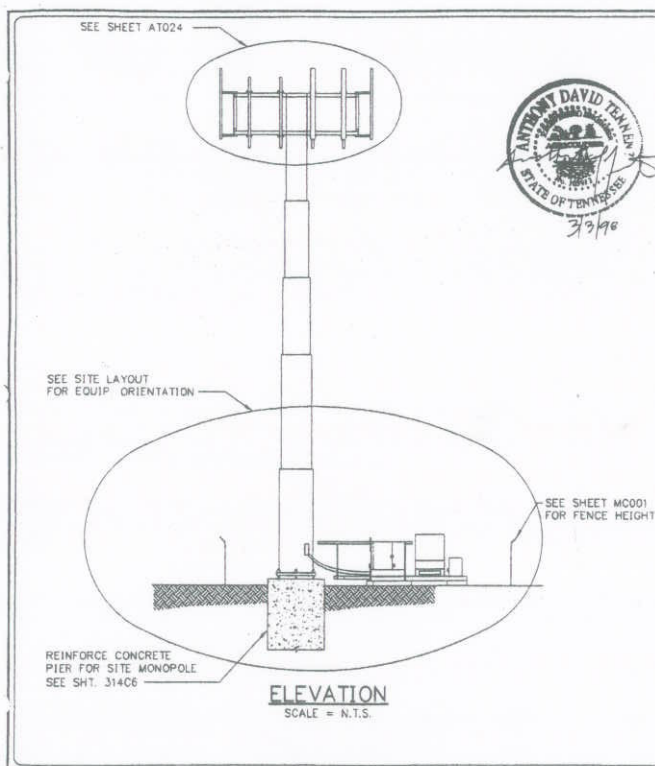
A Special Use Permit is hereby granted to the applicant **Crown Castle, Inc.** to permit extension of the structure of a Commercial Mobile Communications Service (CMCS) Tower and install addition ancillary facilities at a 6,400 square foot site on the 0.29-acre Dancy Investments, Inc tract (recorded as Instruments # JV1642 & KZ1379 at the Shelby County Register's Office), in accordance with a site plan approved by the Office of Planning and Development and with the following supplemental conditions.

1. The maximum tower height shall be one-hundred sixty-five feet (165'), subject to Items 2 & 3 below, *and the tower will incorporate the "slick stick" design with flush-mounted antennae**.
2. The tower shall be free of all lighting, including aircraft hazard lighting, and shall be designed so as to avoid the necessity of such lighting under currently federal regulations.
3. Antenna elements and other related equipment shall not exceed the tower by more than five feet (5')
4. The tower and related equipment shall be removed within one-hundred eighty (180) days of ceasing operations.
5. The tower improvements shall be constructed within two (2) years of approval by the Shelby County Board of Commissioners. The Land Use Control Board may grant a time extension through the applicant filing a correspondence item application with public notice sent to all property owners within five-hundred (500') feet of the property.
6. The tower shall be structurally designed to accommodate at least five (5) additional sectorized antenna arrays.
7. A security fence, six feet (6') or more in height, shall be constructed around the tower and associated equipment. Said fence shall be made sight-proof.
8. The tower operator shall install and maintain perimeter screening as follows: The site perimeter shall be landscaped with at least one row of deciduous trees, not less than two inches in diameter, measured three feet above the grade, spaced not more than 20 feet apart within 25 feet of the site boundary, as well as at least one row of evergreen trees and shrubs, at least five feet high when planted and spaced not more than five feet apart to form a solid shrub screen and within 40 feet of the site boundary. An equivalent alternative may be substituted with the approval of the Office of Planning and Development.
9. The access drive shall have an all-weather surface with asphalt pavement for the first 50 feet from Dexter Road; and said pavement shall be restored when it is broken or worn through.
10. The location and design of the driveway access to Dexter Road shall be subject to the review and approval of the County Engineer including the construction of any culverts that made be needed.

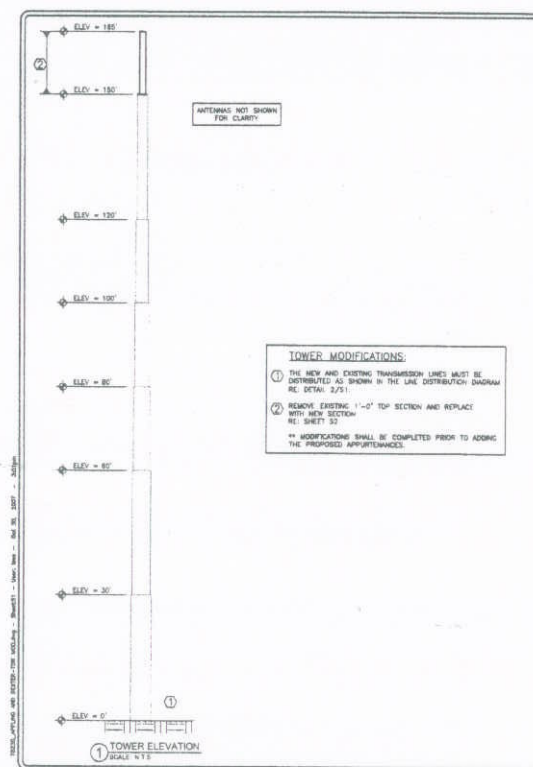
* Note: This phrase needs attention. It it inconsistent with the submitted plan drawings.



PROPOSED SITE PLAN DETAIL



Conceptual Elevation Drawing Showing Equipment for One Carrier



Elevation Drawing Showing Tower Addition --- with mounting platforms omitted

LAND USE OWNERSHIP DISCLOSURE

Please identify every person who has an ownership interest of 10% or more in the subject application whether they be the current owners, the contract buyers, or the lenders. If current owner or contract buyer are public corporations, please note the fact and list no other owners. Only lenders which are not institutions (banks, saving and loans or credit unions) need be listed.

	NAMES	ADDRESSES
<u>CURRENT OWNERS</u>	<u>DANCH INVESTMENTS, INC</u>	<u>P.O. BOX 286</u> <u>SOOTHANEN, MS 38671</u>
<u>CURRENT LESSORS</u>	<u>CROWN CASTLE</u>	<u>197 Charmant Drive, Ste 2</u> <u>RIDGELAND, MS 39157</u>
<u>CONTRACT OWNERS/BUYERS</u>	<u>N/A</u>	
<u>NON-INSTITUTIONAL LENDERS INCLUDING SELLER(S) IF THE PENDING SALE IS OWNER FINANCED</u>	<u>N/A</u>	

GRATUITY DISCLOSURE FORM

Shelby County Ethics Commission

INSTRUCTIONS: This form is for all persons receiving any Shelby County Government contract, land use approval or financial grant money to report any gratuity that has been given, directly or indirectly, to any elected official, employee or appointee (including their spouses and immediate family members) who is involved in the decision regarding the contract, land use approval, or financial grant of money.

1. NAME

CROWN CASTLE PT INC.

2. DATE OF GRATUITY

N/A

3. NATURE AND PURPOSE OF THE GRATUITY

N/A

4. NAME OF THE OFFICIAL, EMPLOYEE, APPOINTEE, OR FAMILY MEMBER WHO RECEIVED THE GRATUITY

N/A

5. NAME OF THE PERSON OR ENTITY THAT PROVIDED THE GRATUITY

N/A

6. ADDRESS OF THE PERSON OR ENTITY THAT PROVIDED THE GRATUITY

N/A

7. DESCRIPTION OF THE GRATUITY

N/A

8. COST OF THE GRATUITY (If cost is unknown and not reasonably discernible by the person giving the gratuity, then the person giving the gratuity shall report a good faith estimate of the cost of the gratuity.)

N/A

9. The information contained in this Gratuity Disclosure Form, and any supporting documentation or materials referenced herein or submitted herewith, is true and correct to the best of my knowledge, information and belief and affirm that I have not given, directly or indirectly, any gratuity to any elected official, employee or appointee (including spouse and immediate family members) that has not been disclosed and I affirm that I have not violated the provisions of the Shelby County Government Code of Ethics.

CROWN CASTLE PT INC.
By: Rhea Silvernail - District Manager

Rhea Silvernail
Signature

3-20-08
Date

Rhea Silvernail - District Manager
Print Name

FISCAL IMPACT STATEMENT

The fiscal impact will be negligible for the requested extension of an existing cell tower.